

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: )  
)  
Stephen EISENBERG et al. )  
)  
Serial No.: 08/485,438 ) Group Art Unit: 1814  
)  
Filed: June 7, 1995 ) Examiner: W. Moore  
)  
For: INHIBITION OF RETROVIRUS )  
INFECTION )

Assistant Commissioner for Patents  
Washington, D.C. 20231

Sir:

RECEIVED

JUL 10 1998

MATRIX CUSTOMER  
SERVICE CENTER

PETITION UNDER 37 C.F.R. § 1.48

Applicants hereby petition to correct the inventorship for the above-identified application by deleting David J. Dripps, as indicated in the Amendment filed herewith.

This application (Serial No. 08/485,438 (the '438 application)) was filed as a

Continuation-In-Part of U.S. Patent Application Serial No. 08/209,040 (the '040

application). When the '438 application was filed, the Rule 60 form listed as inventors

all of the inventors of the '040 application. The '438 application, however, did not

include all of the claims of the '040 application. In fact, the undersigned understands

that the '438 application was filed with claims that did not include David J. Dripps and

Sharon M. Wahl as co-inventors.

On December 26, 1996, an Amendment was filed in the '438 application, which canceled all of the initially-filed claims and added new claims 12 and 13. The Statement of David J. Dripps states that Dripps was named as an inventor of the

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130-00-PP

Serial No. 08/485,503

subject matter of the initially-filed claims of the '438 application in error and that the error occurred through no deceptive intent on his part. The Dripps Statement further states that Dripps is not an inventor of the subject matter of claims 12 and 13.

Accordingly, it is requested that David Dripps be removed as a named inventor on this application.

The Statement of Sharon M. Wahl indicates that she was named as an inventor of the subject matter of the initially-filed claims in the '438 application in error, but that she is an inventor of the subject matter of claims 12 and 13. Accordingly, although not initially correctly named as an inventor of the subject matter of the initially-filed claims in the '438 application, Sharon Wahl is now properly named as an inventor. The Wahl Statement states that Wahl was named as an inventor of the subject matter of the initially-filed claims of the '438 application in error and that the error occurred through no deceptive intent on her part.

The newly executed declarations and the two consents of the assignees are filed herewith along with a check in the amount of \$130.00 for the fee set forth in § 1.17(i).

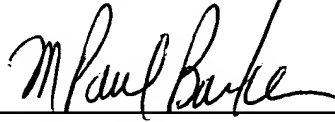
For all of these reasons, applicants respectfully request that David Dripps be removed as a named inventor on this application.

Serial No. 08/485,503

If the enclosed payment is insufficient or if any other fees are due  
in connection with the filing of this paper, please charge any such necessary fees to our  
Deposit Account No. 06-0916.

Respectfully submitted,

FINNEGAN, HENDERSON, FARABOW,  
GARRETT & DUNNER, L.L.P.



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M. Paul Barker  
Registration No. 32,013

Dated: July 9, 1998

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: )  
)  
Stephen EISENBERG et al. )  
)  
Serial No.: 08/485,438 ) Group Art Unit: 1814  
)  
Filed: June 7, 1995 ) Examiner: W. Moore  
)  
For: INHIBITION OF RETROVIRUS )  
INFECTION )

Assistant Commissioner for Patents  
Washington, D.C. 20231

Sir:

**STATEMENT OF DAVID J. DRIPPS**

I was named as a co-inventor of the above-noted patent application in error.

That error in naming inventors occurred without deceptive intent on my part.

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the U.S. Code and that such willful false statements may jeopardize United States Patent Application Serial No.: 08/485,438 or any patent issuing thereon.

6/11/98  
Date

David J. Driggs  
David J. Driggs

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:	)	
	)	
Stephen EISENBERG et al.	)	
	)	
Serial No.: 08/485,438	)	Group Art Unit: 1814
	)	
Filed: June 7, 1995	)	Examiner: W. Moore
	)	
For: INHIBITION OF RETROVIRUS	)	
INFECTION	)	

Assistant Commissioner for Patents  
Washington, D.C. 20231

Sir:

**STATEMENT OF SHARON M. WAHL**

I was named as a co-inventor of the subject matter of the initially-filed claims of the above-noted patent application (the '438 application) in error. That error in naming inventors occurred without deceptive intent on my part.

I understand that the '438 applications was amended to include claims 12 and 13 as follows:

12. A method for the inhibition of viral proliferation which comprises treating a patient with a composition containing an antiviral effective amount of a human-type serine protease inhibitor comprising a secretory leukocyte protease inhibitor (SLPI).

13. A method for the inhibition of retroviral proliferation which comprises treating a patient with a composition containing an antiretroviral

Serial No. 08/485,438

effective amount of a human-type serine protease inhibitor comprising a  
secretory leukocyte protease inhibitor (SLPI).

I am a co-inventor of these claims 12 and 13. Accordingly, although my inclusion as an inventor of the subject matter of the initially-filed claims in the '438 application was in error, I am now properly named as an inventor.

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the U.S. Code and that such willful false statements may jeopardize United States Patent Application Serial No.: 08/485,438 or any patent issuing thereon.

Date

6/25/98

A handwritten signature in cursive script, appearing to read "Sharon M. Wahl", written over a horizontal line.

Sharon M. Wahl

### DECLARATION AND POWER OF ATTORNEY

As a below named inventor, I hereby declare that: my residence, post office address and citizenship are as stated below next to my name; I believe I am an original, first and joint inventor of the subject matter which is claimed and for which a patent is sought on the invention entitled: INHIBITION OF RETROVIRUS INFECTION the specification of which [ ] is attached and/or [X] was filed as United States Application Serial No. 08/485,438 on June 7, 1995, and as amended on December 26, 1996.

I hereby state that I have reviewed and understand the contents of the above-identified specification, including the claims, as amended by any amendment referred to above. I acknowledge the duty to disclose information which is material to the examination of this application in accordance with Title 37, Code of Federal Regulations, § 1.56.

I hereby claim foreign priority benefits under Title 35, United States Code, § 119 of any foreign application(s) for patent or inventor's certificate or of any PCT international application(s) designating at least one country other than the United States of America listed below and have also identified below any foreign application(s) for patent or inventor's certificate or any PCT international application(s) designating at least one country other than the United States of America filed by me on the same subject matter having a filing date before that of the application(s) of which priority is claimed:

COUNTRY (if PCT indicate PCT)	APPLICATION NUMBER	DATE OF FILING (Day, Month, Year)	PRIORITY CLAIMED UNDER 35 USC 119
			[ ] Yes [ ] No

I hereby claim the benefit under Title 35, United States Code, § 120 of any United States application(s) or PCT international application(s) designating the United States of America that is/are listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in that/those prior application(s) in the manner provided by the first paragraph of Title 35, United States Code, § 112, I acknowledge the duty to disclose material information as defined in Title 37, Code of Federal Regulations, § 1.56 which occurred between the filing date of the prior application(s) and the national or PCT international filing date of this application:

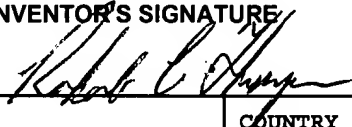
U.S. APPLICATION NO.	U.S. FILING DATE	STATUS (Patented, Pending, Abandoned)
07/943,369	September 9, 1992	Abandoned
08/209,040	March 9, 1994	Abandoned

PCT APPLICATIONS DESIGNATING THE U.S.		
PCT APPLICATION NO	PCT FILING DATE	U.S. SERIAL NO. ASSIGNED (if any)
PCT/US93/08486	9 September 1993	Abandoned

I hereby appoint the following attorney and/or agent(s) to prosecute this application and transact all business in the Patent and Trademark Office connected therewith. **FINNEGAN, HENDERSON, FARABOW, GARRETT & DUNNER, L.L.P.**, Reg. No. 22,540, Douglas B. Henderson, Reg. No. 20,291; Ford F. Farabow, Jr., Reg. No. 20,630; Arthur S. Garrett, Reg. No. 20,338; Donald R. Dunner, Reg. No. 19,073; Brian G. Brunsvold, Reg. No. 22,593; Tipton D. Jennings, IV, Reg. No. 20,645; Jerry D. Voight, Reg. No. 23,020; Laurence R. Heffer, Reg. No. 20,827; Kenneth E. Payne, Reg. No. 23,098; Herbert H. Mintz, Reg. No. 26,691; C. Larry O'Rourke, Reg. No. 26,014; Albert J. Santorelli, Reg. No. 22,610; Michael C. Elmer, Reg. No. 25,857; Richard H. Smith, Reg. No. 20,609; Stephen L. Peterson, Reg. No. 26,325; John M. Romary, Reg. No. 26,331; Bruce C. Zotter, Reg. No. 27,680; Dennis P. O'Reilley, Reg. No. 27,932; Allen M. Sokal, Reg. No. 26,695; Robert D. Bajefsky, Reg. No. 25,387; Richard L. Stroup, Reg. No. 28,478; David W. Hill, Reg. No. 28,220; Thomas L. Irving, Reg. No. 28,619; Charles E. Lipsey, Reg. No. 28,165; Thomas W. Winland, Reg. No. 27,605; Basil J. Lewis, Reg. No. 28,818; Martin I. Fuchs, Reg. No. 28,508; E. Robert Yoches, Reg. No. 30,120; Barry W. Graham, Reg. No. 29,924; Susan Haberman Griffen, Reg. No. 30,907; Richard B. Racine, Reg. No. 30,415; Thomas H. Jenkins, Reg. No. 30,857; Robert E. Converse, Jr., Reg. No. 27,432; Clair X. Mullen, Jr., Reg. No. 20,348; Christopher P. Foley, Reg. No. 31,354; John C. Paul, Reg. No. 30,413; Roger D. Taylor, Reg. No. 28,992; David M. Kelly, Reg. No. 30,953; Kenneth J. Meyers, Reg. No. 25,146; Carol P. Einaudi, Reg. No. 32,220; Walter Y. Boyd, Jr., Reg. No. 31,738; Steven M. Anzalone, Reg. No. 32,095; Jean B. Fordis, Reg.

No. 32,984; Barbara C. McCurdy, Reg. No. 32,120; James K. Hammond, Reg. No. 31,964; Richard V. Burgujian, Reg. No. 31,744; J. Michael Jakes, Reg. No. 32,824; and M. Paul Barker, Reg. No. 32,013. Please address all correspondence to **FINNEGAN, HENDERSON, FARABOW, GARRETT & DUNNER, L.L.P.**, 1300 I Street, N.W., Washington, D.C. 20005, Telephone No. (202) 408-4000.

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application or any patent issuing thereon.

<b>FULL NAME OF FIRST INVENTOR</b> Stephen Eisenberg	<b>INVENTOR'S SIGNATURE</b>	<b>DATE</b>
<b>RESIDENCE</b> 5664 Pennsylvania Place, Boulder, Colorado 80303		<b>COUNTRY OF CITIZENSHIP</b> U.S.A.
<b>POST OFFICE ADDRESS</b> 5664 Pennsylvania Place, Boulder, Colorado 80303		
<b>FULL NAME OF SECOND INVENTOR</b> Sharon M. Wahl	<b>INVENTOR'S SIGNATURE</b>	<b>DATE</b>
<b>RESIDENCE</b> 17121 Longdraft Road, Gaithersburg, Maryland 20878		<b>COUNTRY OF CITIZEN</b> U.S.A.
<b>POST OFFICE ADDRESS</b> National Institute of Dental Research, Bldg. 30, Rm 331, Bethesda, Maryland 20892		
<b>FULL NAME OF THIRD INVENTOR</b> Robert C. Thompson	<b>INVENTOR'S SIGNATURE</b> 	<b>DATE</b> 5/22/98
<b>RESIDENCE</b> 1820 Lehigh Street, Boulder, Colorado 80303		<b>COUNTRY OF CITIZEN</b> U.S.A.
<b>POST OFFICE ADDRESS</b> 1820 Lehigh Street, Boulder, Colorado 80303		



### DECLARATION AND POWER OF ATTORNEY

As a below named inventor, I hereby declare that: my residence, post office address and citizenship are as stated below next to my name; I believe I am an original, first and joint inventor of the subject matter which is claimed and for which a patent is sought on the invention entitled: INHIBITION OF RETROVIRUS INFECTION the specification of which [ ] is attached and/or [X] was filed as United States Application Serial No. 08/485,438 on June 7, 1995, and as amended on December 26, 1996.

I hereby state that I have reviewed and understand the contents of the above-identified specification, including the claims, as amended by any amendment referred to above. I acknowledge the duty to disclose information which is material to the examination of this application in accordance with Title 37, Code of Federal Regulations, § 1.56.

I hereby claim foreign priority benefits under Title 35, United States Code, § 119 of any foreign application(s) for patent or inventor's certificate or of any PCT international application(s) designating at least one country other than the United States of America listed below and have also identified below any foreign application(s) for patent or inventor's certificate or any PCT international application(s) designating at least one country other than the United States of America filed by me on the same subject matter having a filing date before that of the application(s) of which priority is claimed:

COUNTRY (if PCT indicate PCT)	APPLICATION NUMBER	DATE OF FILING (Day, Month, Year)	PRIORITY CLAIMED UNDER 35 USC 119
			[ ] Yes [ ] No

I hereby claim the benefit under Title 35, United States Code, § 120 of any United States application(s) or PCT international application(s) designating the United States of America that is/are listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in that/those prior application(s) in the manner provided by the first paragraph of Title 35, United States Code, § 112, I acknowledge the duty to disclose material information as defined in Title 37, Code of Federal Regulations, § 1.56 which occurred between the filing date of the prior application(s) and the national or PCT international filing date of this application:

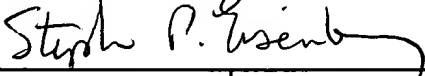
U.S. APPLICATION NO.	U.S. FILING DATE	STATUS (Patented, Pending, Abandoned)
07/943,369	September 9, 1992	Abandoned
08/209,040	March 9, 1994	Abandoned

PCT APPLICATIONS DESIGNATING THE U.S.		
PCT APPLICATION NO	PCT FILING DATE	U.S. SERIAL NO. ASSIGNED (if any)
PCT/US93/08486	9 September 1993	Abandoned

I hereby appoint the following attorney and/or agent(s) to prosecute this application and transact all business in the Patent and Trademark Office connected therewith. **FINNEGAN, HENDERSON, FARABOW, GARRETT & DUNNER, L.L.P.**, Reg. No. 22,540, Douglas B. Henderson, Reg. No. 20,291; Ford F. Farabow, Jr., Reg. No. 20,630; Arthur S. Garrett, Reg. No. 20,338; Donald R. Dunner, Reg. No. 19,073; Brian G. Brunsvold, Reg. No. 22,593; Tipton D. Jennings, IV, Reg. No. 20,645; Jerry D. Voight, Reg. No. 23,020; Laurence R. Hefter, Reg. No. 20,827; Kenneth E. Payne, Reg. No. 23,098; Herbert H. Mintz, Reg. No. 26,691; C. Larry O'Rourke, Reg. No. 26,014; Albert J. Santorelli, Reg. No. 22,610; Michael C. Elmer, Reg. No. 25,857; Richard H. Smith, Reg. No. 20,609; Stephen L. Peterson, Reg. No. 26,325; John M. Romary, Reg. No. 26,331; Bruce C. Zotter, Reg. No. 27,680; Dennis P. O'Reilley, Reg. No. 27,932; Allen M. Sokal, Reg. No. 26,695; Robert D. Bajefsky, Reg. No. 25,387; Richard L. Stroup, Reg. No. 28,478; David W. Hill, Reg. No. 28,220; Thomas L. Irving, Reg. No. 28,619; Charles E. Lipsey, Reg. No. 28,165; Thomas W. Winland, Reg. No. 27,605; Basil J. Lewis, Reg. No. 28,818; Martin I. Fuchs, Reg. No. 28,508; E. Robert Yoches, Reg. No. 30,120; Barry W. Graham, Reg. No. 29,924; Susan Haberman Griffen, Reg. No. 30,907; Richard B. Racine, Reg. No. 30,415; Thomas H. Jenkins, Reg. No. 30,857; Robert E. Converse, Jr., Reg. No. 27,432; Clair X. Mullen, Jr., Reg. No. 20,348; Christopher P. Foley, Reg. No. 31,354; John C. Paul, Reg. No. 30,413; Roger D. Taylor, Reg. No. 28,992; David M. Kelly, Reg. No. 30,953; Kenneth J. Meyers, Reg. No. 25,146; Carol P. Einaudi, Reg. No. 32,220; Walter Y. Boyd, Jr., Reg. No. 31,738; Steven M. Anzalone, Reg. No. 32,095; Jean B. Fordis, Reg.

No. 32,984; Barbara C. McCurdy, Reg. No. 32,120; James K. Hammond, Reg. No. 31,964; Richard V. Burgujian, Reg. No. 31,744; J. Michael Jakes, Reg. No. 32,824; and M. Paul Barker, Reg. No. 32,013. Please address all correspondence to **FINNEGAN, HENDERSON, FARABOW, GARRETT & DUNNER, L.L.P.**, 1300 I Street, N.W., Washington, D.C. 20005, Telephone No. (202) 408-4000.

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application or any patent issuing thereon.

<b>FULL NAME OF FIRST INVENTOR</b> Stephen Eisenberg	<b>INVENTOR'S SIGNATURE</b> 	<b>DATE</b> JUNE 4, 1998
<b>RESIDENCE</b> 5664 Pennsylvania Place, Boulder, Colorado 80303		<b>COUNTRY OF CITIZENSHIP</b> U.S.A.
<b>POST OFFICE ADDRESS</b> 5664 Pennsylvania Place, Boulder, Colorado 80303		
<b>FULL NAME OF SECOND INVENTOR</b> Sharon M. Wahl	<b>INVENTOR'S SIGNATURE</b>	<b>DATE</b>
<b>RESIDENCE</b> 17121 Longdraft Road, Gaithersburg, Maryland 20878		<b>COUNTRY OF CITIZEN</b> U.S.A.
<b>POST OFFICE ADDRESS</b> National Institute of Dental Research, Bldg. 30, Rm 331, Bethesda, Maryland 20892		
<b>FULL NAME OF THIRD INVENTOR</b> Robert C. Thompson	<b>INVENTOR'S SIGNATURE</b>	<b>DATE</b>
<b>RESIDENCE</b> 1820 Lehigh Street, Boulder, Colorado 80303		<b>COUNTRY OF CITIZEN</b> U.S.A.
<b>POST OFFICE ADDRESS</b> 1820 Lehigh Street, Boulder, Colorado 80303		

## DECLARATION AND POWER OF ATTORNEY

As a below-named inventor, I hereby declare that: My residence, post office address, and citizenship are as stated below next to my name; I believe I am an original, first and joint inventor of the subject matter which is claimed and for which a patent is sought on the invention entitled "**Inhibition of Retrovirus Infection**", the specification of which [ ] is attached and/or [X] was filed as U.S. Patent Application Serial No. 08/485,438 on June 7, 1995, and as amended on December 26, 1996.

I hereby state that I have reviewed and understand the contents of the above-identified specification, including the claims, as amended by any amendment referred to above. I acknowledge the duty to disclose information which is material to the examination of this application in accordance with Title 37, Code of Federal Regulations, §1.56.

I hereby claim foreign priority benefits under Title 35, United States Code, §119 of any foreign application(s) for patent or inventor's certificate or of any Patent Cooperation Treaty (PCT) international application(s) designating at least one country other than the United States of America listed below and have also identified below any foreign application(s) for patent or inventor's certificate or any PCT international application(s) designating at least one country other than the United States of America filed by me on the same subject matter having a filing date before that of the application(s) of which priority is claimed:

COUNTRY (if PCT indicate PCT)	APPLICATION NUMBER	DATE OF FILING (Day,Month,Year)	PRIORITY CLAIMED UNDER 35 USC 119

I hereby claim the benefit under Title 35, United States Code, §120 of any United States application(s) or PCT international application(s) designating the United States of America that is/are listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in that/those prior application(s) in the manner provided by the first paragraph of Title 35, United States Code, § 112, I acknowledge the duty to disclose material information as defined in Title 37, Code of Federal Regulations, §1.56 which occurred between the filing date of the prior application(s) and the national or PCT international filing date of this application:

U.S. APPLICATION NO.	U.S. FILING DATE	STATUS (Patented,Pending,Abandoned)
07/943,369	September 9, 1992	Abandoned
08/209,040	March 9, 1994	Abandoned
PCT APPLICATION(S) DESIGNATING THE U.S.		
PCT APPLICATION NO.	PCT FILING DATE	U.S. SERIAL NO. ASSIGNED (if any)
PCT/US93/08486	09 September 1993	Abandoned

**Power of Attorney:** As a named inventor, I hereby appoint the following attorney(s) and/or agent(s) to prosecute this application and transact all business in the Patent and Trademark Office connected therewith:

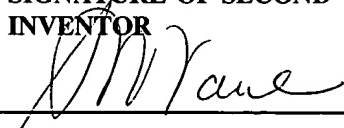
M. Paul Barker, Reg. No. 32,013 and Charles Van Horn, Reg. No. 40,266, all of the law firm of **Finnegan, Henderson, Farabow, Garrett & Dunner, L.L.P.**, 1300 I Street, N.W., Washington, D.C. 20005, Telephone

No. (202) 408-4000; and

James C. Haight (Reg. No. 25,588); Robert Benson, (Reg. No. 33,612); Jack Spiegel, (Reg. No. 34,477); Susan S. Rucker, (Reg. No. 35,762); David R. Sadowski, (Reg. No. 32,808); Steven M. Ferguson, (Reg. No. 38,488); Stephen Finley, Reg. No. 36,357); and John Peter Kim, (Reg. No. 38,514), all of the **Office of Technology Transfer, National Institutes of Health**, 6011 Executive Boulevard, Suite 325, Rockville, Maryland 20852-3804, Telephone No. (301) 496-7057.

Please address all correspondence to: **FINNEGAN, HENDERSON, FARABOW, GARRETT & DUNNER, L.L.P.**, 1300 I Street, N.W., Washington, D.C. 20005, Telephone No. (202) 408-4000.

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application or any patent issuing thereon.

<b>FULL NAME OF FIRST INVENTOR</b> Stephen Eisenberg	<b>SIGNATURE OF FIRST INVENTOR</b>	<b>DATE</b>
<b>RESIDENCE</b> 5664 Pennsylvania Place Boulder, Colorado 80303	<b>COUNTRY OF CITIZENSHIP</b> U.S.A.	
<b>POST OFFICE ADDRESS</b> 5664 Pennsylvania Place Boulder, Colorado 80303		
<b>FULL NAME OF SECOND INVENTOR</b> Sharon M. Wahl	<b>SIGNATURE OF SECOND INVENTOR</b> 	<b>DATE</b> 6/25/98
<b>RESIDENCE</b> 12650 High Meadow Road North Potomac, Maryland 20878	<b>COUNTRY OF CITIZENSHIP</b> U.S.A.	
<b>POST OFFICE ADDRESS</b> 12650 High Meadow Road North Potomac, Maryland 20878		
<b>FULL NAME OF THIRD INVENTOR</b> Robert C. Thompson	<b>SIGNATURE OF THIRD INVENTOR</b>	<b>DATE</b>
<b>RESIDENCE</b> 1820 Lehigh Street Boulder, Colorado 80303	<b>COUNTRY OF CITIZENSHIP</b> U.S.A.	
<b>POST OFFICE ADDRESS</b> 1820 Lehigh Street Boulder, Colorado 80303		

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:	)	
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Stephen EISENBERG et al.	)	
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Serial No.: 08/485,438	)	Group Art Unit: 1814
	)	
Filed: June 7, 1995	)	Examiner: W. Moore
	)	
For: INHIBITION OF RETROVIRUS	)	
INFECTION	)	

Assistant Commissioner for Patents  
Washington, D.C. 20231

Sir:

**CONSENT OF ASSIGNEE TO INVENTORSHIP CORRECTION**

Amgen Inc. is a joint assignee of the patent application identified above. The following documentary evidence establishes Amgen Inc.'s ownership interest in this application. Copies of assignment documents assigning parent applications International Application No. PCT/US93/08486 and U.S. Serial No. 08/209,040 and the present application 08/485,438 from inventors to Amgen Inc. are attached. I understand that the executed assignment documents will be submitted to the United States Patent and Trademark Office (USPTO) for recordation. Copies of two USPTO Notices of Recordation of Assignment Document are attached, which show that a parent application, United States Serial No. 07/943,369, was assigned to Synergen, Inc. Those Notices show that the assignment documents were recorded at Reel 6458, Frames 0588 and 0591. The attached copy of the Certificate of Amendment to the Certificate of Incorporation of Synergen, Inc. shows that the name Synergen, Inc. was

Serial No. 08/485,438


changed to Amgen Boulder Inc. The attached copy of the Certificate of Ownership and Merger of Amgen Boulder Inc. With and Into Amgen Inc. shows that Amgen Boulder Inc. was merged with and into Amgen Inc. under the name of Amgen Inc. I understand that these documents will be submitted to the USPTO for recordation.

I am authorized to act on behalf of Amgen Inc.

Amgen Inc. consents to the correction of inventorship of this application by deleting David J. Dripps as an inventor.

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the U.S. Code and that such willful false statements may jeopardize United States Patent Application Serial No.: 08/485,438 or any patent issuing thereon.

Dated: \_\_\_\_\_

  
George Vandeman  
Senior Vice President  
General Counsel and Secretary

SOLE/JOINT INVENTION  
(Worldwide Rights - Domestic Use)

Attorney Docket No.: 04189-0084-03000

**ASSIGNMENT**

WHEREAS I/We, the below named inventor(s), hereinafter referred to as Assignor(s), have made an invention entitled INHIBITION OF RETROVIRUS INFECTION for which I/We filed applications for United States Letters Patent on March 9, 1994 (U.S. Serial No. 08/209,040), on June 7, 1995 (08/485,438), and on June 7, 1995 (08/483,503), and filed a Patent Cooperation Treaty (PCT) application on September 9, 1993 (International Application No. PCT/US93/08486); and

WHEREAS, Amgen, Inc. a corporation of Delaware whose post office address is One Amgen Center Drive, Thousand Oaks, California 91320 (hereinafter referred to as Assignee), is desirous of securing the entire right, title, and interest in and to this invention in all countries throughout the world, and in and to the PCT application on this invention and the Letters Patent to be issued upon this application;

NOW THEREFORE, be it known that for and in consideration of good and valuable consideration the receipt of which from assignee is hereby acknowledged, I/We, as assignor(s), have sold, assigned, transferred, and set over, and do hereby sell, assign, transfer, and set over unto the assignee, its lawful successors and assigns, my/our entire right, title, and interest in and to this invention and this application, and all divisions, and continuations thereof, and all Letters Patent of the United States which may be granted thereon, and all reissues thereof, and all rights to claim priority on the basis of such application, and all applications for Letters Patent which may hereafter be filed for this invention in any foreign country and all Letters Patent which may be granted on this invention in any foreign country, and all extensions, renewals, and reissues thereof; and I/We hereby authorize and request the Commissioner of Patents and Trademarks of the United States and any official of any foreign country whose duty it is to issue patents on applications as described above, to issue all Letters Patent for this invention to assignee, its successors and assigns, in accordance with the terms of this Assignment;

AND, I/WE HEREBY covenant that I/We have the full right to convey the interest assigned by this Assignment, and I/We have not executed and will not execute any agreement in conflict with this Assignment;

AND, I/WE HEREBY further covenant and agree that I/We will, without further consideration, communicate with assignee, its successors and assigns, any facts known to me/us respecting this invention, and testify in any legal proceeding, sign all lawful papers when called upon to do so, execute and deliver any and all papers that may be necessary or desirable to perfect the title to this invention in said assignee, its successors or assigns, execute all divisional, continuation, and reissue applications, make all rightful oaths and generally do everything possible to aid assignee, its successors and assigns, to obtain and enforce proper patent protection for this invention in the United States and any foreign country, it being understood that any expense incident to the execution of such papers shall be borne by the assignee, its successors and assigns.

IN TESTIMONY WHEREOF, I/We have hereunto set our hands.

County of: Boulder : Stephen Eisenberg  
Full Name Of Sole/First Assignor

State of: Colorado : 5664 Pennsylvania Place  
Street Address

Subscribed and sworn to before me this  
7th Day of June, 1998.

Stephen P. Eisenberg, Notary Public

MY COMMISSION EXPIRES: 03-10-2001  
1650 30TH STREET, BOULDER, CO 80301

Boulder, Colorado 80303  
City and State/Country

Stephen P. Eisenberg  
Sole/First Assignor's Signature/Date

County of: \_\_\_\_\_ : Robert C. Thompson  
Full Name Of Second Assignor

State of: \_\_\_\_\_ : 1820 Lehigh Street  
Street Address

Subscribed and sworn to before me this  
\_\_\_\_\_ Day of \_\_\_\_\_, 199\_\_\_\_\_.

\_\_\_\_\_, Notary Public

Boulder, Colorado 80303  
City and State/Country

\_\_\_\_\_  
Second Assignor's Signature/Date



SOLE/JOINT INVENTION  
(Worldwide Rights - Domestic Use)

Attorney Docket No.: 04189-0084-03000

**ASSIGNMENT**

WHEREAS I/We, the below named inventor(s), hereinafter referred to as Assignor(s), have made an invention entitled INHIBITION OF RETROVIRUS INFECTION for which I/We executed an application for United States Letters Patent concurrently herewith or filed applications for United States Letters Patents on March 9, 1994 (Serial No. 08/209,040), and on June 7, 1995 (Serial No. 08/485,438), and on June 7, 1995 (Serial No. 08/483,503); and

WHEREAS, Amgen, Inc. a corporation of Delaware whose post office address is One Amgen Center Drive, Thousand Oaks, California 91320 (hereinafter referred to as Assignee), is desirous of securing the entire right, title, and interest in and to this invention in all countries throughout the world, and in and to the applications for United States Letters Patent on this invention and the Letters Patents to be issued upon these applications;

NOW THEREFORE, be it known that for and in consideration of good and valuable consideration the receipt of which from assignee is hereby acknowledged, I/We, as assignor(s), have sold, assigned, transferred, and set over, and do hereby sell, assign, transfer, and set over unto the assignee, its lawful successors and assigns, my/our entire right, title, and interest in and to this invention and these applications, and all divisions, and continuations thereof, and all Letters Patent of the United States which may be granted thereon, and all reissues thereof, and all rights to claim priority on the basis of such applications, and all applications for Letters Patent which may hereafter be filed for this invention in any foreign country and all Letters Patent which may be granted on this invention in any foreign country, and all extensions, renewals, and reissues thereof; and I/We hereby authorize and request the Commissioner of Patents and Trademarks of the United States and any official of any foreign country whose duty it is to issue patents on applications as described above, to issue all Letters Patent for this invention to assignee, its successors and assigns, in accordance with the terms of this Assignment;

AND, I/WE HEREBY covenant that I/We have the full right to convey the interest assigned by this Assignment, and I/We have not executed and will not execute any agreement in conflict with this Assignment;

AND, I/WE HEREBY further covenant and agree that I/We will, without further consideration, communicate with assignee, its successors and assigns, any facts known to me/us respecting this invention, and testify in any legal proceeding, sign all lawful papers when called upon to do so, execute and deliver any and all papers that may be necessary or desirable to perfect the title to this invention in said assignee, its successors or assigns, execute all divisional, continuation, and reissue applications, make all rightful oaths and generally do everything possible to aid assignee, its successors and assigns, to obtain and enforce proper patent protection for this invention in the United States and any foreign country, it being understood that any expense incident to the execution of such papers shall be borne by the assignee, its successors and assigns.

IN TESTIMONY WHEREOF, I/We have hereunto set our hands.

County of: Boulder : David J. Dripps  
: Full Name Of Third Assignor

State of: Colorado : 4114 Spyglass Lane  
: Street Address

Subscribed and sworn to before me this 4 Day of June, 1998.  
Michelle R. Hoffman, Notary Public

Longmont, Colorado 80503  
City and State/Country

\_\_\_\_\_  
Sole/First Assignor's Signature/Date

SOLE/JOINT INVENTION  
(Worldwide Rights - Domestic Use)

Attorney Docket No.: 04189-0084-03000

### ASSIGNMENT

WHEREAS I/We, the below named inventor(s), hereinafter referred to as Assignor(s), have made an invention entitled INHIBITION OF RETROVIRUS INFECTION for which I/We filed applications for United States Letters Patent on March 9, 1994 (U.S. Serial No. 08/209,040), on June 7, 1995 (08/485,438), and on June 7, 1995 (08/483,503), and filed a Patent Cooperation Treaty (PCT) application on September 9, 1993 (International Application No. PCT/US93/08486); and

WHEREAS, Amgen, Inc. a corporation of Delaware whose post office address is One Amgen Center Drive, Thousand Oaks, California 91320 (hereinafter referred to as Assignee), is desirous of securing the entire right, title, and interest in and to this invention in all countries throughout the world, and in and to the PCT application on this invention and the Letters Patent to be issued upon this application;

NOW THEREFORE, be it known that for and in consideration of good and valuable consideration the receipt of which from assignee is hereby acknowledged, I/We, as assignor(s), have sold, assigned, transferred, and set over, and do hereby sell, assign, transfer, and set over unto the assignee, its lawful successors and assigns, my/our entire right, title, and interest in and to this invention and this application, and all divisions, and continuations thereof, and all Letters Patent of the United States which may be granted thereon, and all reissues thereof, and all rights to claim priority on the basis of such application, and all applications for Letters Patent which may hereafter be filed for this invention in any foreign country and all Letters Patent which may be granted on this invention in any foreign country, and all extensions, renewals, and reissues thereof; and I/We hereby authorize and request the Commissioner of Patents and Trademarks of the United States and any official of any foreign country whose duty it is to issue patents on applications as described above, to issue all Letters Patent for this invention to assignee, its successors and assigns, in accordance with the terms of this Assignment;

AND, I/WE HEREBY covenant that I/We have the full right to convey the interest assigned by this Assignment, and I/We have not executed and will not execute any agreement in conflict with this Assignment;

AND, I/WE HEREBY further covenant and agree that I/We will, ~~without further consideration~~, communicate with assignee, its successors and assigns, any facts known to me/us respecting this invention, and testify in any legal proceeding, sign all lawful papers when called upon to do so, execute and deliver any and all papers that may be necessary or desirable to perfect the title to this invention in said assignee, its successors or assigns, execute all divisional, continuation, and reissue applications, make all rightful oaths and generally do everything possible to aid assignee, its successors and assigns, to obtain and enforce proper patent protection for this invention in the United States and any foreign country, it being understood that any expense incident to the execution of such papers shall be borne by the assignee, its successors and assigns.

*R. L. Harg*

IN TESTIMONY WHEREOF, I/We have hereunto set our hands.

County of: Boulder

Stephen Eisenberg

Full Name Of Sole/First Assignor

State of: Colorado

5664 Pennsylvania Place

Street Address

Subscribed and sworn to before me this  
10<sup>th</sup> Day of June, 1998.

Boulder, Colorado 80303

City and State/Country

\_\_\_\_\_, Notary Public

\_\_\_\_\_  
Sole/First Assignor's Signature/Date

County of: Boulder

Robert C. Thompson

Full Name Of Second Assignor

State of: Colorado

1820 Lehigh Street

Street Address

Subscribed and sworn to before me this  
10<sup>th</sup> Day of June, 1998.

Boulder, Colorado 80303

City and State/Country

Mary Augusta Notary Public

Robert C. Thompson 6/10/98  
Second Assignor's Signature/Date



UNITED STATES DEPARTMENT OF COMMERCE  
Patent and Trademark Office  
ASSISTANT SECRETARY AND COMMISSIONER  
OF PATENTS AND TRADEMARKS  
Washington, D.C. 20231

DATE: 04/20/93

TO:

KAY HANLEY

SYNERGEN, INC.

INTEL. PROP. DEPT.

1885 33RD STREET

BOULDER, CO 80301

RECEIVED MAY 14 1993

UNITED STATES PATENT AND TRADEMARK OFFICE  
NOTICE OF RECORDATION OF ASSIGNMENT DOCUMENT

THE ENCLOSED DOCUMENT HAS BEEN RECORDED BY THE ASSIGNMENT BRANCH OF THE U.S. PATENT AND TRADEMARK OFFICE. A COMPLETE MICROFILM COPY IS AVAILABLE AT THE U.S. PATENT AND TRADEMARK OFFICE ON THE REEL AND FRAME NUMBER REFERENCED BELOW.

PLEASE REVIEW ALL INFORMATION CONTAINED ON THIS NOTICE. THE INFORMATION CONTAINED ON THIS RECORDATION NOTICE REFLECTS THE DATA PRESENT IN THE PATENT ASSIGNMENT PROCESSING SYSTEM. IF YOU SHOULD FIND ANY ERRORS OR QUESTIONS CONCERNING THIS NOTICE, YOU MAY CONTACT THE EMPLOYEE WHOSE NAME APPEARS ON THIS NOTICE AT 703-308-9723. PLEASE SEND REQUEST FOR CORRECTION TO: U.S. PATENT AND TRADEMARK OFFICE, ASSIGNMENT BRANCH, NORTH TOWER BUILDING, SUITE 10C35, WASHINGTON, D.C. 20231

ASSIGNOR:

THOMPSON, ROBERT C.

DOC DATE: 12/08/92

RECORDATION DATE: 12/11/92      NUMBER OF PAGES 003      REEL/FRAME 6458/0588

DIGEST :ASSIGNMENT OF ASSIGNORS INTEREST

ASSIGNEE:

SYNERGEN, INC.

1885 33RD STREET

BOULDER, CO 80301

SERIAL NUMBER      7-943369

FILING DATE      09/09/92

PATENT NUMBER

ISSUE DATE      00/00/00

EXAMINER/PARALEGAL

ASSIGNMENT BRANCH

ASSIGNMENT/CERTIFICATION SERVICES DIVISION



UNITED STATES DEPARTMENT OF COMMERCE  
Patent and Trademark Office  
ASSISTANT SECRETARY AND COMMISSIONER  
OF PATENTS AND TRADEMARKS  
Washington, D.C. 20231

DATE: 04/20/93  
TO:  
KAY HANLEY  
SYNERGEN, INC.  
INTELLECTUAL PROPERTY DEPARTMENT  
1885 33RD STREET  
BOULDER, CO 80301

RECEIVED MAY 17 1950

UNITED STATES PATENT AND TRADEMARK OFFICE  
NOTICE OF RECORDATION OF ASSIGNMENT DOCUMENT

THE ENCLOSED DOCUMENT HAS BEEN RECORDED BY THE ASSIGNMENT BRANCH OF THE U.S. PATENT AND TRADEMARK OFFICE. A COMPLETE MICROFILM COPY IS AVAILABLE AT THE U.S. PATENT AND TRADEMARK OFFICE ON THE REEL AND FRAME NUMBER REFERENCED BELOW.

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ASSIGNOR:  
EISENBERG, STEPHEN

DOC DATE: 12/08/92

RECORDATION DATE: 12/11/92      NUMBER OF PAGES 002      REEL/FRAME 6458/0591

DIGEST :ASSIGNMENT OF ASSIGNORS INTEREST

ASSIGNEE:  
SYNERGEN, INC.  
1885 33RD STREET  
BOULDER, CO 80301

SERIAL NUMBER	7-943369	FILING DATE	09/09/92
PATENT NUMBER		ISSUE DATE	00/00/00

EXAMINER/PARALEGAL  
ASSIGNMENT BRANCH  
ASSIGNMENT/CERTIFICATION SERVICES DIVISION

*Office of the Secretary of State*

---

I, EDWARD J. FREEL, SECRETARY OF STATE OF THE STATE OF DELAWARE, DO HEREBY CERTIFY THE ATTACHED IS A TRUE AND CORRECT COPY OF THE CERTIFICATE OF AMENDMENT OF "SYNERGEN, INC.", CHANGING ITS NAME FROM "SYNERGEN, INC." TO "AMGEN BOULDER INC.", FILED IN THIS OFFICE ON THE FIRST DAY OF FEBRUARY, A.D. 1995, AT 2:30 O'CLOCK P.M.



*Edward J. Freel*

Edward J. Freel, Secretary of State

0932371 8100

960054038

AUTHENTICATION:

7840923

DATE:

02-26-96

CERTIFICATE OF AMENDMENT  
TO THE  
CERTIFICATE OF INCORPORATION  
OF  
SYNERGEN, INC.

Synergen, Inc., a corporation existing under the laws of the State of Delaware, which was originally incorporated under the name Synergen Associates, Inc. on February 22, 1982 (the "Corporation"), does hereby certify:

I. That Section 1 of the Certificate of Incorporation of the Corporation is hereby amended to read as follows:

1. The name of the corporation is:

Amgen Boulder Inc.

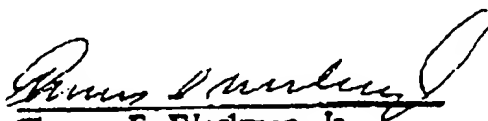
II. That written consent has been given in accordance with Section 228 of the General Corporation Law of the State of Delaware to amend Section 1 of the Certificate of Incorporation of the Corporation and that this Certificate of Amendment to the Certificate of Incorporation was duly adopted in accordance with the provisions of Section 242 of the General Corporation Law of the State of Delaware.



IN WITNESS WHEREOF, SYNERGEN, INC. has caused its corporate seal  
to be hereto affixed and this Certificate of Amendment to the Certificate of Incorporation  
to be signed by Thomas E. Workman, Jr., its Vice President, Secretary and General  
Counsel, this 31 day of January, 1995.

SYNERGEN, INC.

By:



Thomas E. Workman, Jr.  
Vice President, Secretary and  
General Counsel

*Office of the Secretary of State*

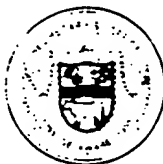
---

I, EDWARD J. FREEL, SECRETARY OF STATE OF THE STATE OF DELAWARE, DO HEREBY CERTIFY THE ATTACHED IS A TRUE AND CORRECT COPY OF THE CERTIFICATE OF OWNERSHIP, WHICH MERGES:

"AMGEN BOULDER INC.", A DELAWARE CORPORATION,

WITH AND INTO "AMGEN INC." UNDER THE NAME OF "AMGEN INC.", A CORPORATION ORGANIZED AND EXISTING UNDER THE LAWS OF THE STATE OF DELAWARE, AS RECEIVED AND FILED IN THIS OFFICE THE THIRTY-FIRST DAY OF DECEMBER, A.D. 1997, AT 10 O'CLOCK A.M.

A FILED COPY OF THIS CERTIFICATE HAS BEEN FORWARDED TO THE NEW CASTLE COUNTY RECORDER OF DEEDS.



Edward J. Freel, Secretary of State

2106150 8100M

971454892

AUTHENTICATION:

8844498

DATE:

01-02-98

**CERTIFICATE OF OWNERSHIP AND MERGER**

**of**

**AMGEN BOULDER INC.**

**(a Delaware corporation)**

**with and into**

**AMGEN INC.**

**(a Delaware corporation)**

It is hereby certified that:

1. Amgen Inc. (the "Corporation") is a corporation of the State of Delaware.
2. Amgen Boulder Inc., a Delaware corporation ("Amgen Boulder"), is a wholly-owned subsidiary of the Corporation.
3. The Corporation, as the owner of at least 90% of the outstanding shares of stock of Amgen Boulder, does hereby merge Amgen Boulder with and into the Corporation.
4. This Certificate of Ownership and Merger constitutes a plan of complete liquidation of Amgen Boulder pursuant to Section 332 of the Internal Revenue Code of 1986, as amended ("Section 332").
5. The following is a copy of the resolutions adopted on December 31, 1997 by unanimous written consent of the Board of Directors of the Corporation with respect to the merger of Amgen Boulder with and into the Corporation (the "Merger"):

RESOLVED, that Amgen Boulder be merged with and into the Corporation pursuant to Section 253 of the Delaware General Corporation Law as hereinafter provided, so that the separate existence of Amgen Boulder shall cease as soon as the Merger shall become effective, and thereupon the Corporation and Amgen Boulder will become a single corporation with the Corporation as the surviving corporation, which shall continue to exist under, and be governed by, the laws of the State of Delaware;

RESOLVED FURTHER, the Merger shall be treated as a tax-free liquidation pursuant to Section 332;

RESOLVED FURTHER, the Certificate of Ownership and Merger setting forth a copy of these resolutions shall be effective upon the filing thereof with the Secretary of State of the State of Delaware; and

RESOLVED FURTHER, that the Chief Executive Officer, President, Chief Financial Officer and Senior Vice President, General Counsel of the Company, and the Secretary

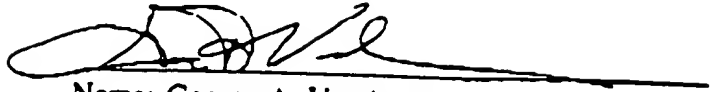
or Assistant Secretary of the Company acting in conjunction with any such officers, be and they hereby are authorized and directed to make and execute a Certificate of Ownership and Merger ("Certificate of Ownership and Merger"), in the form set forth as Exhibit A hereto, setting forth a copy of these resolutions to merge Amgen Boulder into the Corporation, and to cause the same to be filed and recorded as provided by law, and to do all acts and things whatsoever, within the State of Delaware and in any other appropriate jurisdiction, necessary or proper to effect the Merger.

6. The Certificate of Ownership and Merger and the Merger shall become effective upon the filing of such Certificate of Ownership and Merger with the Secretary of State of the State of Delaware.

[Signature Page to Follow]

Signed on December 31, 1997

AMGEN INC.



Name: George A. Vandeman  
Title: Senior Vice President, General  
Counsel and Secretary

S-1

ABI-Cr of Merger

(TUE) 12:30' 97 15:47/ST. 15:41/NO. 4261284509 P 4

#2 FROM LATHAM & WATKINS LA

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:	)	
	)	
Stephen EISENBERG et al.	)	
	)	
Serial No.: 08/485,438	)	Group Art Unit: 1814
	)	
Filed: June 7, 1995	)	Examiner: W. Moore
	)	
For: INHIBITION OF RETROVIRUS	)	
INFECTION	)	

Assistant Commissioner for Patents  
Washington, D.C. 20231

Sir:

**CONSENT OF ASSIGNEE TO INVENTORSHIP CORRECTION**

United States of America, represented by the Secretary, Department of Health and Human Services, is a joint assignee of the patent application identified above. The following documentary evidence establishes its ownership interest in this application. A copy of the assignment document assigning parent applications International Application No. PCT/US93/08486 and U.S. Serial No. 08/209,040 and the present application U.S. Serial No. 08/485,438 from one of the inventors to United States of America, represented by the Secretary, Department of Health and Human Services, is attached. I understand that the executed assignment document will be submitted to the United States Patent and Trademark Office (USPTO) for recordation. A copy of the recorded assignment document for parent application, United States Serial No. 07/943,369, is attached. That document shows that the application was assigned to

Serial No. 08/485,438

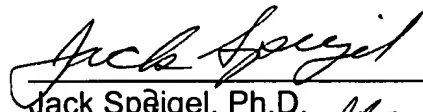
United States of America, represented by the Secretary, Department of Health and Human Services. That assignment document was recorded at Reel 6409, Frame 0895.

I am authorized to act on behalf of United States of America, represented by the Secretary, Department of Health and Human Services.

United States of America, represented by the Secretary, Department of Health and Human Services, consents to the correction of inventorship of this application by deleting David J. Dripps as an inventor.

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the U.S. Code and that such willful false statements may jeopardize United States Patent Application Serial No. 08/485,438 or any patent issuing thereon.

Dated: 29 JUNE 1998

  
\_\_\_\_\_  
Jack Spiegel, Ph.D.  
Director, Division of  
Technology Development  
and Transfer  
Office of Technology Transfer  
National Institutes of Health  
U.S. Department of Health  
and Human Services

Jack Spiegel, Ph.D.  
Director, Division of Technology  
Development and Transfer  
Office of Technology Transfer  
National Institutes of Health

ASSIGNMENT

WHEREAS, I, Sharon M. Wahl, an employee of the Department of Health and Human Services, have made an invention entitled "**Inhibition of Retrovirus Infection**" for which has been filed application(s) for United States Letters Patent on September 9, 1992 (U.S. Patent Application Serial No. 07/943,369), on March 9, 1994 (U.S. Patent Application Serial No. 08/209,040), on June 7, 1995 (U.S. Patent Application Serial No. 08/485,438), and on June 7, 1995 (U.S. Patent Application Serial No. 08/483,503), and for which has been filed a Patent Cooperation Treaty (PCT) application on September 9, 1993 (International Patent Application No. PCT/US93/08486).

WHEREAS, I am an applicant named in the above-identified applications; and

WHEREAS, the conditions under which I have made said invention are such as to entitle **THE UNITED STATES OF AMERICA**, as represented by the Secretary, Department of Health and Human Services [hereinafter **THE GOVERNMENT**] under Paragraph 1(a) of Executive Order 10096 to my entire right, title, and interest herein, both domestic and foreign; and

WHEREAS, **THE GOVERNMENT** is desirous of acquiring all domestic and foreign right, title, and interest in the above-mentioned invention described in the application(s) for Letters Patent; and

NOW, THEREFORE, for good and valuable consideration, the receipt of which is hereby acknowledged, I hereby assign and transfer to **THE GOVERNMENT**, represented by the Secretary, Department of Health and Human Services, the full and exclusive rights in and to said invention in the United States and within each and every foreign country in which said invention is filed and the entire right, title, and interest in and to such applications, and any continuations, continuations-in-part, divisions, reissues or extensions thereof, and including priority rights as may be filed in the United States and foreign countries, and such Letters Patent as may be granted to be held by **THE GOVERNMENT** to the end of the term for which the same would have been held by the inventors had this assignment not been made.

I further agree to make, execute, and deliver to the Secretary, Department of Health and Human Services, upon request,



any and all papers, documents, affidavits, or other instruments that may be necessary in the prosecution of any application or applications for improvements or reissues of Letters Patent, and to assist **THE GOVERNMENT** in every way as may be requested in protecting said invention, provided that any expense of extending such assistance shall be paid by **THE GOVERNMENT**.

IN WITNESS WHEREOF I subscribe my hand and seals on the dates shown below:

Date 6/25/98 Sharon M. Wahl

County of Montgomery }  
State of Maryland } SS:

Subscribed and sworn to before me this 25th day of June, 1998.

[Seal]

John Peter Kim  
Notary Public



John Peter Kim, Notary Public  
Montgomery County  
State of Maryland  
My Commission Expires July 1, 2000

## ASSIGNMENT

WHEREAS, I, Sharon M. Wahl residing at 17121 Longdraft Road, Gaithersburg, Maryland 20878, am an employee of the Department of Health and Human Services, have invented INHIBITION OF RETROVIRUS INFECTION, for which has been have made application for Letters Patent of the United States Serial No. 07/943,369, Filed September 9, 1992; and

WHEREAS, I am an applicant(s) named in the above-mentioned application for Letters Patent; and

WHEREAS, the conditions under which said invention was made are such as to entitle the Government under Paragraph 1(a) of Executive order 10096 to the entire right, title, and interest herein, both domestic and foreign; and

WHEREAS, the Government of the United States is desirous of acquiring all domestic and foreign right, title, and interest in the above-mentioned invention described in the application for Letters Patent; and

NOW, THEREFORE, for good and valuable consideration the receipt of which is hereby acknowledged, I hereby assign and transfer to the United States of America, represented by the Secretary, Department of Health and Human Services, the full and exclusive rights in and to said invention in the U.S. and within each and every foreign country in which the Government elects to file and the entire right, title, and interest in and to such applications, and any continuations, continuations-in-part, divisions, reissues or extensions thereof, and including priority rights as may be filed in the U.S. and foreign countries, and such Letters Patent as may be granted to be held by the Government to the end of the term for which the same would have been held by the inventors had this assignment not been made.

I further agree to make, execute, and deliver to the Secretary, Department of Health and Human Services, upon request, any and all papers, documents, affidavits, or other instruments that may be necessary in the prosecution of any application or applications for improvements or reissues of Letters Patent, and to assist the Government in every way as may be requested in protecting said invention, provided that any expense of extending such assistance shall be paid by the Government.

IN WITNESS WHEREOF I subscribe our hand and seal on the dates shown below:

1/26/93 Sharon M. Wahl (Seal)  
Date Sharon M. Wahl

County of Montgomery  
State of Maryland SS:

Subscribed and sworn to before me this 26 day of JAN, 1993.

Seal

Robert J. Harr  
Notary Public

my commission EXPIRES  
FEB 1, 1997

RECORDED  
PATENT AND TRADEMARK  
OFFICE

FEB 12 1993

6049  
0895